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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/544,730	08/23/2006	Hermann Rabe	30931/L50116	5305
4743 7590 11/01/2007 MARSHALL, GERSTEIN & BORUN LLP 233 S. WACKER DRIVE, SUITE 6300 SEARS TOWER CHICAGO, IL 60606			EXAMINER GORMAN, DARREN W	
			ART UNIT 3752	PAPER NUMBER
			MAIL DATE 11/01/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/544,730

Applicant(s)

RABE, HERMANN

Examiner

Darren W. Gorman

Art Unit

3752

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 August 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 3752

DETAILED ACTION

Drawings

1. The replacement drawing sheets were received on August 15, 2007. These drawings are acceptable.

Response to Arguments

2. Applicant's arguments, see in particular, page 10, line 24 through page 11, line 5, of the "Remarks" section of the response filed August 15, 2007, with respect to the rejection of claims 1-20 under 35 USC 103(a) have been fully considered and are persuasive. The Examiner concurs with Applicant that Williams does not clearly or reasonably teach a quick connect coupling between the hose and the sprayer. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground of rejection is made in view of newly found prior art to You, US Patent No. 6,446,881.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over You, USPN 6,446,881 in view of Porta et al., USPN 3,973,791.

You shows a hand-held sprayer (any of sprayers 124, 125, 126; see Figure 1) for use with a hose extension (any of hoses 121, 122, 123), the sprayer including a liquid dispensing section (outlet end of any of sprayers 124, 125, 126) and a connecting end (upstream end of any of sprayers 124, 125, 126), which is expressly disclosed as being connectable with the hose extension by means of a quick-connect coupling (see column 8, lines 17-20).

However, the inventive concepts of the You device reside in the structure of the entire system disclosed, rather than with the details of the conventional quick connect coupling, which connects the hose extension to the hand-held sprayer. Thus, You is silent as to the coupling comprising an at least partially hollow shaft section, a fastening element, and a hollow connecting plug element, and the details thereof as set forth in applicant's claims.

Porta (see Figures 1-5) shows a conventional quick connect type fluid coupling (10) comprising: a hollow shaft section (14); a fastening element (18); and a hollow connecting plug element (12) for connecting a hose extension (22) to the shaft section, wherein the plug element is arranged within the shaft section and is fastened by the fastening element through at least one opening (58, 60) from the outside of the shaft section into the shaft section, and wherein the connecting plug element has a first mounting extension (32) for connecting the hose extension with the plug element, a second mounting extension (region indicated with reference numbers 38, 42 and 44) for connecting the plug element with the shaft section and a groove (30) running circumferentially around an outer periphery of the plug element which the fastening element engages when the plug element is fastened to the shaft section (see Figure 4; and column 4, lines 30-44), and wherein the second mounting extension has the shape of a hollow tube that can be mounted to a third mounting extension (50, 54) in the shaft section formed in one piece with the

Art Unit: 3752

shaft section. It should be noted, any region of the shaft section of Porta that is “formed in one piece” with the shaft section and abuts against the second mounting extension (38, 42, 44), such as the region where reference numbers “50” and “54” are located in Figure 3, reasonably reads on the recited “third mounting extension”. Further, Porta shows the first mounting extension (32) being a tube extension having a reduced diameter relative to the remaining portions of the plug element (see Figure 1), the first mounting extension being mounted to the hose extension. Also, Porta shows a securing element (70) that securely fastens the hose extension to the connecting plug element. As to the securing element being a “hose clamp”, Porta discloses that securing element (70) is “compacted onto the exterior surface” of the hose (22) “with conventional crimping or swaging presses” (see column 6, lines 5-9), thus reasonably reading on a “hose clamp”. Still further, Porta shows the fastening element comprising a U-shaped element (64) with two arms (66), each of which engage opposite sides of the groove (30) of the plug element (12). As to the fastening element being a “spring steel insert”, Porta discloses that the fastening element is advantageously “fabricated from steel” (see column 5, lines 41-43), thereby providing “necessary resiliency” for the arms, thus reasonably reading on a “spring steel insert”. Porta further discloses that the quick connect type fluid coupling “can be easily assembled as well as disassembled”, and is “durable in construction” and “reliable in operation” (see column 7, lines 63-66).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to replace the non-descript conventional quick connect fluid coupling of the hand-held sprayer disclosed by You, with the quick connect type fluid coupling as taught by

Art Unit: 3752

Porta, in order to provide a quick connect fluid coupling that is easy to assemble as well as disassemble, and which is durable in construction and reliable in operation.

As to the “at least one seal”, “at least one first seal” and “at least one second seal” recitations of claims 3, 4, 10 and 13-15, Porta does expressly show at least one radially-acting O-ring seal (62, 62a) disposed between the second mounting extension and the third mounting extension, however Porta is silent as to providing a seal between the hose extension and the first mounting extension.

The examiner takes Official Notice that it is old and well known in the art to place at least one sealing element between two intimately connected fluid conveying conduit members in order to assure that fluid does not leak from the connection. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to place a sealing element between the hose extension and the first mounting extension of the device of You, as modified by Porta, in order to assure that fluid does not leak from the connection.

As to the sprayer being “arranged on or in a cooking appliance”, as recited in claims 8 and 20, You discloses that the hand-held sprayer is “portable” and is for “washing” (see column 1, lines 5-13), however You only mentions specific usefulness of the sprayer for cleaning vehicles, although You does state that the device is not strictly limited to such use. One having ordinary skill would recognize that at least the hose and sprayer portion of the device of You is capable of being placed on or in a cooking appliance, should a user desire to do so, such that a user could clean the appliance, as desired. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to arrange the hose and hand-held

Art Unit: 3752

sprayer of You, as modified by Porta, on or in a cooking appliance, in order to facilitate cleaning of the cooking appliance, as desired by the user.

Additional Response to Arguments

5. Applicant's arguments, see page 9 of the "Remarks section of the response filed August 15, 2007, with respect to the "third mounting extension" recited in the claims, in comparison to elements 50 and 54 of Porta, have been fully considered but they are not persuasive. Applicant contends that the elements of Porta designated with reference numbers 50 and 54 "do not constitute a mounting extension". It is the Examiner's position that, in as much as Applicant's element designated with reference number "8" in Figure 1 is a "third mounting extension", the elements of Porta designated with reference numbers 50 and 54 can reasonably anticipate the claimed "third mounting extension".

As clearly shown in Applicant's drawing Figure 1 (the only drawing which shows the "third mounting extension"), the upstream end of the "third mounting extension 8" simply abuts the downstream end of the "second mounting extension 7". Further, as is again clearly shown in Applicant's drawing Figure 1, the "third mounting extension 8" is merely a radially inward stepped shoulder from the shaft extension. As is clearly shown in Figure 3 of Porta, elements 50 and 54 constitute a radially inward stepped shoulder of "shaft section" 14, wherein the upstream end of elements 50 and 54 simply abuts the downstream end of the "second mounting extension" (region indicated with reference numbers 38, 42 and 44). Thus, in as much as Applicant's element 8 in Figure 1 is a "third mounting extension", elements 50 and 54 of Porta reasonably anticipate the claimed "third mounting extension.

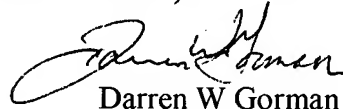
Art Unit: 3752

Conclusion

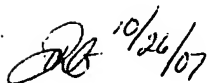
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Darren W. Gorman whose telephone number is 571-272-4901. The examiner can normally be reached on M-F 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin Shaver can be reached on 571-272-4720. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Darren W Gorman
Examiner
Art Unit 3752



DWG
October 26, 2007